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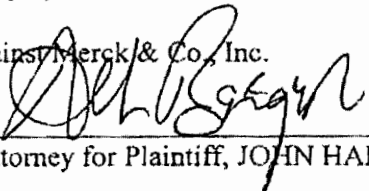
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

In re: Bextra and Celebrex Marketing Sales Practices and Product Liability Litigation	*	MDL No. 1699
*****	*	District Judge: Charles R. Breyer
JOHN HARDEY, HUSBAND OF AND GRETA HARDEY	*	Case No. 06-2690
	*	
Plaintiff,	*	<u>STIPULATION AND ORDER OF</u>
	*	<u>DISMISSAL WITH PREJUDICE</u>
VS.	*	
	*	
PFIZER, INC. , et al	*	
	*	
Defendants.	*	

Comes now the Plaintiff, **JOHN HARDEY, HUSBAND OF AND GRETA HARDEY**,
by and through the undersigned attorney(s), pursuant to Federal Rule of Civil Procedure, Rule
41(a), and hereby seeks dismissal of this action *with prejudice* with each side bearing its own
attorneys' fees and costs and reserving all rights against Merck & Co., Inc.

Dated: 11/18/09

BY


Attorney for Plaintiff, JOHN HARDEY

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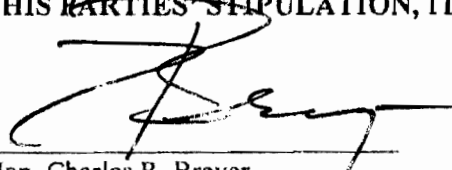
Dated: December 11, 2009

BY: 

DLA PIPER LLP (US)
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DEFENDANTS' LIAISON COUNSEL

PURSUANT TO THE TERMS SET FORTH IN THIS ~~PARTIES'~~ STIPULATION, IT IS
SO ORDERED.

Dated: DEC 16 2009


Hon. Charles R. Breyer,
United States District Court